

BOARD OF SELECTMEN

Tuesday, May 19, 2015

6:45 Town Clerk Swearing In Ceremony

A meeting of the Rockport Board of Selectmen was held at 6:45 pm in Conference Room A in Town Hall with five selectpersons, the Town Administrator and the Asst. Town Administrator. The swearing in ceremony included the swearing in of: Board of Selectmen members S. Wilkinson and M. Sheedy, T. Good, Tax Assessor, L. Razdan, Library Trustee, B. Bronson, Housing Authority. The Chief of Police, John Horvath, was sworn in as well.

7:00 Meeting Called to Order

Pledge of Allegiance and Moment of Silence

Election of Board of Selectmen Officers: Pursuant to Selectmen Policy 20-05, Selectperson Murphy nominated Battistelli as Chairperson of the Board of Selectmen, Selectperson Sheedy seconded, Vote: 5-0.

Election of Board
of Selectmen
Chair
Motion
Approved

Selectperson Sheedy nominated Selectperson Murphy as Vice Chairperson of the Board of Selectmen, Selectperson Lucas seconded, Vote: 5-0.

Election of Board
of Selectmen
Vice Chair
Motion
Approved

Approval of Minutes of May 5, 2015: Selectperson Wilkinson moved that the Selectmen approve the minutes of May 5, 2015, Selectperson Lucas seconded, Vote: 5-0.

Approval of
5/5/15 Minutes
Motion
Approved

Selectmen Updates and Liaison Reports: Selectperson Murphy said Motif #1 Day was a huge success; the road race had many participants. Selectperson Wilkinson said she attended the ceremony with the Mayor of Gloucester and the Chairperson of the Manchester Board of Selectmen regarding the Veteran's inter-municipal agreement. She said the Rockport veterans will now be able to utilize a full time office in Gloucester. Chairperson Battistelli spoke about the SeniorCare advisory council; she is on the council as a resident; she said they meet monthly and advise the SeniorCare Board. She said she attended the first meeting today, they are close to solving a gap in the dial-a-ride; they haven't been able to go through Manchester. They're going before the Manchester Board of Selectmen; she suggested the Rockport Board of Selectmen write a letter of support because it will benefit Rockport residents. No big buses can go through downtown Manchester. Sunday was Emergency Services Day, the move to T-wharf was a positive change.

Selectmen
Updates and
Liaison Reports

Public Comment Period: T. Arsenian, 95 Granite Street, said last year at a public hearing on the location of a telephone pole on Breakwater Avenue, there was some discussion on signs at the corner indicating it was a private road. The town owns property further down the road. He questioned if the town has done anything about this. The Town Administrator said it is a private road; the town hasn't done anything about the signs.

Public Comment
Period

Town Administrator's Report: The Asst. Town Administrator said it has been very busy with personnel issues, new CORI policy, summer help, etc. He said the Council on Aging, the schools, recreation and the library recreation run SORI checks as well; they are paper forms. He said there was a Master Building Plan meeting today, went through materials and comments on the form. He said we are approaching employee evaluation time, a new tool was piloted last year for some groups, this year there is a new and improved version for all staff. This year there will be two different tools, one for managers and one for non-supervisory staff. We will be providing

Town
Administrator's
Report

training on the tool for managers. He said the files have been transferred to Adam Curcuru, from the new Veteran's district. With the cooperation of the MAPC, the replacement parking meters will be in place by the Memorial Day deadline, they've been ordered and are on the way. Back Beach is being tested for kiosks. The plan is to install the meters on Friday so they'll be in place for the long weekend.

7:30 Action List

Appointment of
Thacher Island
Keeper – Motion
Approved

Appointment of Thacher Island Keeper: Selectperson Lucas moved that the Board of Selectmen appoint David Joseph as a Thacher Island Keeper for the 2015 season, Selectperson Murphy seconded, Vote: 5-0.

Appointment of
Thacher Island
Launch Operators
and Crew
Members
Motion Approved

Appointment of Thacher Island Launch Operators & Crew Members: Selectperson Sheedy moved that the Board of Selectmen appoint Bill Cardani, Seth Cutter, Bob Delaney, Tom Eldridge, Sydney Wedmore and Isaac Perry as Thacher Island Launch Operators and Diane Johnson, Gary Johnson, Rich Lorigan, Lee Marr, David Murphy, Ray Pszeny, Paul St. Germain and Jeff Taylor as Thacher Island Crew Members, all as seasonal employees for 2015, Selectperson Wilkinson seconded, Vote: 3-0. Selectpersons Murphy and Battistelli are abstaining,

Appointment of
IS&T Technical
Support Specialist
Motion Approved

Appointment of IS&T Technical Support Specialist: Selectperson Murphy moved that the Board of Selectmen appoint Thomas Randazza as a Technical Support Specialist in the IS&T Department as an employee at will, Selectperson Sheedy seconded, Vote: 5-0.

Appointment of
Interdepartmental
Meeting Support
Clerk – Motion
Approved

Appointment of Interdepartmental Meeting Support Clerk: Selectperson Wilkinson moved that the Selectmen appoint Lynn Murphy as an Interdepartmental Meeting Support Clerk, part-time employee at will, Selectperson Murphy seconded, Vote: 5-0. She will be covering for the CPC and the Finance Committee.

Appointment of
Seasonal
Recreational Staff
Motion Approved

Appointment of Seasonal Recreation Staff: Selectperson Lucas moved that the Selectmen appoint Paula O'Brien as Summer Fun Director, Ann O'Donnell as Summer Fun Art Director, Sophie Palmer, Coalter Palmer, David Kobrosky, Alexis Cruz, Aliza Ottenheimer, Declan Beaton, Gideon Roell, and Oliver Herman all as Summer Fun Counselors, Kelly Canniff and Conor Deedy as Tennis Instructors, Chandra Contrino as Swim Director, Beth Lott as Swim Instructor, and Eric Doe and Ashley Walima as Swim Instructors, all as seasonal employees for 2015, Selectperson Sheedy seconded, Vote: 5-0.

Approval of DPW
to fill vacancy
Motion Approved

Approval for DPW Hiring to Fill Vacancy: Selectperson Murphy moved that the Board of Selectmen grant permission to the DPW Director to fill a vacancy due to a retirement, Selectperson Wilkinson seconded, Vote: 5-0.

Approval for
DPW to Hire New
Highway Worker
Motion Approved

Approval for DPW to Hire New Highway Worker: Selectperson Sheedy moved that the Board of Selectmen grant permission to the DPW Director to hire a highway worker to fill the new Highway Department position funded in the FY16 budget, Selectperson Murphy seconded, Vote: 5-0.

Acceptance of
Resignation of
William Budrow
as Animal
Control/Dog
Officer
Motion Approved

Acceptance of Resignation of William Budrow as Animal Control/Dog Officer: Selectperson Wilkinson moved that the Board of Selectmen accept the resignation of William Budrow as Animal Control/Dog Officer, effective June 30, 2015, Selectperson Murphy seconded, Vote: 5-0. Chairperson Battistelli inquired if there was any information relative to this. The Town Administrator said it has been agreed that this function belongs in the Police Department, we have a trained individual but she said she is not ready to announce their name yet. She said she will bring information back to the Board.

Acceptance of Resignation of Daniel Mahoney as Animal Control/Dog Officer: Selectperson Lucas moved that the Board of Selectmen accept the resignation of Daniel Mahoney as Animal Control/Dog Officer, effective June 30, 2015, Selectperson Wilkinson seconded, Vote: 5-0.

Resignation of Daniel Mahoney as Animal Control/Dog Officer- Motion Approved

Permission for Long Beach Tennis Court Improvements: Selectperson Murphy moved that the Board of Selectmen grant permission to Heather Carbone and the Long Beach Improvement Association to improve the Tennis Court at Long Beach, Selectperson Sheedy seconded, Vote: 5-0. Ward Talbot said he was told that the Asst. Town Administrator was in charge of this and the bids came in too high. M. Vieira stated that the permission and responsibility was given to the LBIA to handle this on their own. H. Carbone said T. Olson/DPW will remove the vegetation on the perimeter so the asphalt can be repaired, they will remove the roots that are causing the cracks and a new surface will be put on top of it. It will be pressure washed and recoated. The posts and nets will be put back up. W. Talbot questioned how the fence with the vines wrapped around the chain link will be handled. H. Carbone said we are not taking the fence down, the vines will die on the fence; she said this is not part of the project at this time. W. Talbot said the concrete, as it stands now, the sleeves holding the net are not usable; they have rusted away. There is nothing in the RFP about that. It would not be worthwhile to resurface it without the ability to put a net up. The asphalt drops off sharply, he said previously they brought in sand so no one would trip on the edge of the asphalt, this is a safety issue. H. Carbone said people have offered additional funding and people will step up to make this happen.

Permission for Long Beach Tennis Court Improvements - Motion Approved.

Investment Policy Approval: Selectperson Sheedy moved that the Board of Selectmen approve and adopt the Town of Rockport Investment Policy dated May 19, 2015, Selectperson Murphy seconded, Vote: 5-0.

Investment Policy Approval Motion Approved

Procurement Policy Approval: Selectperson Wilkinson moved that the Board of Selectmen approve and adopt the Town of Rockport Procurement Policy dated May 19, 2015, Selectperson Murphy seconded, Vote: 5-0.

Procurement Policy Approval Motion Approved

Outdoor Display Permit Renewal for Prince & the Pauper: Selectperson Lucas moved that the Board of Selectmen renew the Outdoor Display Permit for the Prince & the Pauper at 5 Bearskin Neck, Selectperson Wilkinson seconded, Vote: 4-0. Selectperson Sheedy recused herself as she has represented the applicant in the past. There are two displays with two items for sale.

Outdoor Display Permit Renewal for Prince & the Pauper, Motion Approved

Outdoor Display Permit for 8 Bells: Selectperson Murphy moved that the Selectmen approve an Outdoor Display Permit for 8 Bells at 8 Bearskin Neck as described in their Permit Application dated September 26, 2012 and specified in their attached narrative, photographs, and drawings, Selectperson Sheedy seconded, Vote: 4-0. Selectperson Murphy left the room and was not present for the vote.

Outdoor Display Permit for 8 Bells Motion Approved

Access Easement for Bennett and Berard: Selectperson Wilkinson moved that the Board of Selectmen grant an access easement to Alice W. Bennett and Linda B. Berard to allow them legal access to their property as approved by Town Meeting on April 4, 2015 in Article S, Selectperson Lucas seconded, Vote: 3-0. Selectperson Murphy was out of the room, Selectperson Sheedy abstained.

Access Easement for Bennett and Berard Motion Approved

Permission for Firemen's Sunday Memorial Parade: Selectperson Wilkinson moved that the Board of Selectmen grant permission to the Rockport Firemen's Association to hold its annual Firemen's Sunday Memorial Parade on June 14, 2015, Selectperson Murphy seconded, Vote: 5-0.

Permission for Firemen's Sunday Memorial Parade Motion Approved

Permission for Fourth of July Events: Selectperson Lucas moved that the Board of Selectmen grant permission to the Rockport Firemen's Association to hold its annual Fourth of July activities, including its Bake Sale on June 20, 2015 and its Parade, Food Stand, Music, and Bonfire on July 4, 2015, Selectperson Murphy seconded, Vote: 5-0.

Permission for Fourth of July Events – Motion Approved

Permission for
Rockport Music
Festival Banners
Motion Approved

Rockport Music Festival Banners: Selectperson Murphy moved that the Board of Selectmen grant permission to Rockport Music to post its banners along Main Street from June 1st to July 14th for its 34th Annual Rockport Chamber Music Festival, Selectperson Wilkinson seconded, Vote: 5-0. T. Arsenian, 95 Granite Street, objects to the granting of this, this is public property, the zoning code says no advertising.

8:30
Open Traffic and
Parking Hearing
Motion Approved

Traffic and Parking Hearing: Selectperson Sheedy moved that the Board of Selectmen open a Public Hearing to hear public comments on proposed changes to the Traffic Rules and Regulations, Selectperson Murphy seconded, Vote: 5-0.

The notice printed in the Gloucester Daily Times on 5/12/15 was read. The Town Administrator said the traffic and parking committee has been hearing various recommendations regarding traffic and parking in Rockport, most of these items do not require a hearing but they need to come before the Board of Selectmen if there are any changes in the regulations.

Handicapped parking has never been part of the regulations. Including a list of the town's handicapped parking spaces in the regulations was recommended, there are about forty (40) spaces.

Add Handicapped
Parking Spaces to
Regulations
Motion Approved

Selectperson Wilkinson moved to add a section to Article 5, Parking Section 12, Handicapped parking spaces to the Traffic Rules and Regulations, with the request made on 5/7/14, seconded by Selectperson Sheedy, Vote: 5-0.

Add streets where
skateboards are
prohibited to regs
Motion Approved

Selectperson Lucas moved to add language to the town by-laws specifying the streets where skateboards are forbidden to Chapter 11, Section 8, to the Traffic Rules and Regulations in Article 9, seconded by Selectperson Wilkinson, Vote: 5-0.

Amendment to
Regs parking
prohibitions on
certain streets
Motion Approved

Selectperson Wilkinson moved that the Board of Selectmen supports the proposed amendment to the Traffic Rules and Regulations Article 5 parking, Section 2, prohibitions on certain streets as set forth in the memo dated May 7, 2014, seconded by Selectperson Murphy, Vote: 5-0.

Jennifer Olson, Seagull Street, said she has worked with DPW Director Parisi around the safety concerns with kids driving fast, and kids walking.

Dennis Lovelace, Seagull Street, said they have a very positive relationship with the DPW around these issues.

Selectperson Wilkinson moved that the Board of Selectmen support the proposed amendment to Article 5, Parking Section 2, dated 5/7/14, seconded by Selectperson Murphy, Vote: 5-0.

Recommended
stop signs
Motion Approved

Selectperson Wilkinson moved that the Board of Selectmen support the recommendation of 5/7/14 stop signs, seconded by Selectperson Sheedy, Vote: 5-0.

Recommended
compact car signs
Motion Approved

Selectperson Wilkinson moved that the Board of Selectmen support the recommendation for compact car signs, seconded by Selectperson Lucas, Article 5, section that relates to, Vote: 5-0.

Main Street at 5 Corners, consider taking some parking spaces away from the intersection due to the visibility problem and because buses can't turnaround.

Ted Tarr, 154 Main, said at Atlantic Avenue at the Headlands, angle parking would be better, with parallel parking 2-3 cars take up the whole stretch.

Five stop signs: Jewett at Main Street, install stop sign on Jewett and a yield sign on Cleaves, install stop sign on Hale Street at the intersection of Cleaves. On Pigeon Hill Court, there are three recommendations, install a stop sign at Pigeon Hill Court, paint center line and install a

crosswalk on Pigeon Hill Court, DPW Director Parisi said all of that is already done and it is working fine.

Martha's Lane at Jerden's Lane, install on Martha's Lane at the intersection of Jerden's Lane.

King Street and Forrest Street, stop sign.

Broadway at Mt. Pleasant, stop sign.

Compact car signs: The recommendation is to place compact car signs on four spaces on School Street; one space at 11 Beach Street and two spaces at 60 Beach Street; these are already there as well.

Bus Stop location change: The recommendation is to move the CATA bus stop on Broadway; one possible solution is to move it to the intersection at Harvey Park (Broad and Mt. Pleasant Street), the regulations would need to be amended.

Atty. Mike Faherty was present; he is representing Tom Grossman, the manager of the Rockport Market. Atty. Faherty said this goes back to 2003, the issues have not changed. 1) there are other businesses there and this takes up two bus lengths of "no parking". There was a question on the zoning in this area, it is residential. 2) buses are idling with noxious fumes. The businesses are totally obstructed when buses are parked there. 3) safety issue – the buses parked there extend well beyond the travel lane. Cars trying to go around the bus are almost entirely in the lane; the street is not wide enough. There are other locations that would be more appropriate, how about Harvey Park, or in the parking lot at Town Hall adjacent to the bank.

Robert Ryan from CATA was in attendance. It was zoned residential since 2010. All the other businesses have been there for years. He said we have never had an accident or injury at that spot. We spent \$12,000 for an antique bus shelter for the elderly; a place for them to sit. Kids were hanging out so we were asked to remove it, so we did. Since 2003 he said we have felt harassed on this stop. He said Harvey Park is too congested to be a bus stop. The bus stop was there before the market. He said they don't idle their buses for more than 5 minutes, if we do we can be fined. He said 2 buses sporadically stop 16 times each day.

T. Arsenian said he thinks the buses idle more than five minutes, the tour buses do as well. He said Harvey Park is treasured green space; he is not in favor of cutting a curb cut and moving the bus stop to Harvey Park.

Atty. Faherty said the zoning didn't change in 2010, it was affirmed in 2010. There is an absolute right, if someone is driving a bus on a public street, which is a subsidized authority, and the property owner is trying to gather evidence he has a perfect right to take pictures. This is not harassment. He said the idling occurs to keep them on schedule because they don't want to be ahead of schedule. This is not a touch and go situation. This is where they wait to adjust their schedule.

Selectperson Wilkinson said this wouldn't be an issue if it was a touch and go situation, so why don't we make sure it is a touch and go stop. Why don't we try that and educate the drivers.

The Town Administrator, read the section on Article 3, the Director of the DPW may, with the approval of the Board of Selectmen, and shall at the request of the Board of Selectmen place and maintain or cause to be placed and maintained official traffic signs, signals, markings and safety zones which shall conform to the standards as prescribed by the Dept. of Public Works of the Commonwealth of Mass. The proposed change is to delete "with the approval of the Board of Selectmen" and "shall at the request of the Board of Selectmen" just to expedite the process and response times. She said we also added for the purpose of facilitating the process and response times at the request of the Traffic and Parking Committee, so there is a check and balance.

Chairperson Battistelli said the DPW Director could put signs up without coming before the Board of Selectmen. Selectperson Sheedy said she thinks the Board of Selectmen is a good check and balance. The DPW Director could authorize yield and cautionary signs without approval of the Board of Selectmen.

Sidewalk extensions: Katie Serpa, 281 Granite Street, said it is a very dangerous situation; there's no sidewalk and it's very narrow. She said they've been working with Barry Pett from Bruce Tarr's office, the Town would have to request funding; the estimate is about \$200,000 from Haven Avenue to the state park.

Close Public
Hearing
Motion Approved

Selectperson Wilkinson moved that the Board of Selectmen close the Public Hearing, Selectperson Murphy seconded, Vote: 5-0.

Support Parking
Prohibited on
certain streets
Motion Approved

Selectperson Wilkinson moved that the Board of Selectmen supports the proposed amendment to the Traffic Rules and Regulations Article 5 parking, Section 2, prohibitions on certain streets as set forth in the memo dated May 7, 2015, seconded by Selectperson Murphy, Vote: 5-0.

Additional Stop
Signs – Motion
Approved

Selectperson Wilkinson moved that the Board of Selectmen support the recommended amendments to the Traffic Rules and Regulations as detailed in a memo dated May 7, 2014 for additional stop signs and to be noted in the Traffic Rules and Regulations of Article 3 Traffic Signs, Signals, Markings, and zones, Section 1, Selectperson Sheedy seconded, Vote: 5-0.

Support
Recommendation
on compact car
signs
Motion Approved

Selectperson Wilkinson moved that the Board of Selectmen support the recommendation for compact car signs as detailed in the memo dated May 7, 2014 and recorded in the Traffic Rules and Regulations, Article 5, seconded by Selectperson Sheedy, Vote: 5-0.

It was decided to wait to see on the request to move the bus stop; no vote on this.

9:45 Discussion Items

- 175th Anniversary of Rockport – postpone to the next meeting.

9:50 Selectperson Lucas moved to adjourn, seconded by Selectperson Murphy, Vote: 5-0.

Warrant signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of May 21, 2015 in the amounts of \$105,747.28 and \$369,700.69 respectively.

Items signed:

Alice Bennett & Berard, 126 and 126R Main Street, Blue Gate Lane
Dorothy Flynn, buying and selling antiques
The Prince & the Pauper, Outdoor Display Permit
8 Bells, Robin Schwarz, Outdoor Display Permit
MHG Rockport, LLC, R. W. Emerson's By the Sea, Ltd., Entertainment License
MHG Rockport, LLC, R. W. Emerson's By the Sea, Innholder's License
Michael Welcome, parking lot max of 39 spaces
Barbara Stavropoulos, My Place by the Sea, Entertainment License
Little Arts Cinema, Arnold Morton, Broadway and School Streets, Showing motion pictures
Herman Fritz, 40C School Street, Street Performer's License